



DEPARTMENT OF THE NAVY
BOARD FOR CORRECTION OF NAVAL RECORDS
2 NAVY ANNEX
WASHINGTON, D.C. 20370-5100

MEH:ddj
Docket No: 1728-00
28 November 2000

[REDACTED]

This is in reference to your application for correction of your naval record pursuant to the provisions of title 10 of the United States Code, section 1552.

A three-member panel of the Board for Correction of Naval Records, sitting in executive session, considered your application on 28 November 2000. Your allegations of error and injustice were reviewed in accordance with administrative regulations and procedures applicable to the proceedings of this Board. Documentary material considered by the Board consisted of your application, together with all material submitted in support thereof, your naval record and applicable statutes, regulations and policies. In addition, the Board considered the advisory opinion furnished by BUPERS memorandum 1160 PERS 815 of 24 October 2000, a copy of which is attached.

After careful and conscientious consideration of the entire record, the Board found that the evidence submitted was insufficient to establish the existence of probable material error or injustice. In this connection, the Board substantially concurred with the comments contained in the advisory opinion. Accordingly, your application has been denied. The names and votes of the members of the panel will be furnished upon request.

It is regretted that the circumstances of your case are such that favorable action cannot be taken. You are entitled to have the Board reconsider its decision upon submission of new and material evidence or other matter not previously considered by the Board. In this regard, it is important to keep in mind that a presumption of regularity attaches to all official records. Consequently, when applying for a correction of an official naval record, the burden is on the applicant to demonstrate the existence of probable material error or injustice.

Sincerely,

W. DEAN PFEIFFER
Executive Director

Enclosure



DEPARTMENT OF THE NAVY
NAVY PERSONNEL COMMAND
5720 INTEGRITY DRIVE
MILLINGTON TN 38055-0000

1160
PERS-815
24 Oct 00

MEMORANDUM FOR CHAIRMAN, BOARD FOR CORRECTION OF NAVAL RECORDS

Via: PERS-00ZCB

Subj: BCNR PETITION ICO M [REDACTED]

Ref: (a) SNM's DD Form 149 dtd 7 Feb 00
(b) NAVADMIN 253/98
(c) OPNAINST 1160.6A

Encl: (1) BCNR File

1. In response to reference (a), recommend disapproval of the petitioner's request.

a. The petitioner signed a SRB qualifying extension on 15 December 1998 for 48 months. The petitioner's EAOS at the time was 25 May 1999.

b. The petitioner received an approval from PERS 815 on 1 March 1999 to receive a zone "C" SRB qualifying extension entitlement at his EAOS for NEC 5311 offered in reference (b).


c. Reference (b) listed the zone "C" SRB entitlement for NEC 5311 at the award level of 1.0. Additionally, reference (b) listed a zone "C" SRB entitlement for NEC 5342 at the award level 2.0.

d. The petitioner requests to change the SRB approval entitlement to reflect NEC 5342 vice 5311 and receive the higher award level of 2.0.


e. Per reference (c), SRB recipients must remain qualified for continued service in the bonus skill, and are expected to serve the entire period of reenlistment/extension in the bonus rating/NEC.

f. The petitioner's record reflects that he is working in the NEC 5311 bonus skill vice the NEC 5342. Therefore the petitioner is ineligible to receive the SRB entitlement for NEC 5342.

2. In view of the above, recommend petitioner's record remain as is.

Subj: BCNR PETITION IC 

3. This is an advisory memorandum to reference (a) for use by the Board for Correction of Naval Records (BCNR) only. Enclosure (1) is returned.


CDK USNR
Head,
Reenlistment Incentives Branch